

REMARKS

Reconsideration of this application and the rejection of claims 1, 2, 4, 5, 13 and 14 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated December 16, 2004 (Paper No. 121304) and believe the application is now in condition for allowance. The claims have been amended to more clearly describe the present invention.

Applicants acknowledge the allowability of claims 3, 6-12 and 15-20. However, while claims 15 and 20 are indicated as allowable, they are independent. The Examiner's comments on pages 6 and 7 of the Action indicate that these claims, and their corresponding dependent claims are allowable in their present form and should be designated as "allowed". In view of the above amendments and the remarks below, claim 1 is submitted to be allowable in its present form.

As directed by the Examiner, Applicants have revised the specification to update the status of related applications with serial numbers.

Claims 1, 4 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Fisher (US 2,276,244). Fisher describes a pair of rollers 13, 14 defining a nip 15 therebetween. The roller 13 is a metering roller which ultimately deposits a coating upon a web of paper passing over a roller 12. There is an error in FIG. 1 of Fisher, in that the direction of rotation of the roller 14 is shown as the same as that of roller 13. However, such an arrangement is counter to the language of the specification: "A smaller roll 14 runs in

predetermined spaced relation with roll 13, and rotates in a direction opposite thereto.” (Page 4, lines 45-47). In addition, if the rollers rotated as shown in FIG. 1 of Fisher, the coating would not flow as intended below the nip 15. Further, the doctor 16 in Fisher is provided specifically for preventing the coating from progressing over the roller 14. Fisher fails to disclose or suggest any deviation in the roller rotation directions, since that would require significant redesign of his entire apparatus.

In contrast, a feature of the present apparatus is that the slurry is drawn over an upper and outer periphery of the metering roll for ultimate deposition upon the web. Since the slurry is settable, care should be taken to avoid deposition in a manner which leads to accumulation of set slurry upon the components of the feed apparatus. In the Fisher configuration, the deposited coating passes through the nip between the rollers. This configuration is contrary to the goals and structure of the present apparatus, since it would promote the collection of prematurely set slurry in the feed apparatus.

Accordingly, claim 1 has been amended to recite, among other things, means for driving said rolls so that slurry retained in the nip progresses in the direction of travel of the web over an upper outer peripheral surface of the metering roll to be deposited upon the web. In Fisher, the coating is deposited from the nip in a reverse direction to that of the web. In view of the lack, in Fisher, of the structure now claimed, the rejection based thereon is respectfully traversed.

Claim 2 stands rejected under 35 U.S.C. 103(a) as being obvious over a combination of Fisher in view of Schaefer (US 3,640,245). The comments asserted above traversing Fisher are reasserted here. Schaefer is cited for providing endwalls to a roller nip. However, whether taken alone or in combination with Fisher, Schaefer fails to disclose or suggest the apparatus recited in amended claim 1. Accordingly, the rejection based on a combination of Fisher and Schaefer is respectfully traversed.

Claim 5 stands rejected under 35 U.S.C. § 103(a) in view of a combination of Fisher and Klein (US 4,287,846). However, Applicant believes the Examiner intended to refer to claim 3 here. The comments asserted above traversing Fisher are reasserted here. Klein is cited for providing a no-stick resilient coating to the nip rolls. However, Klein fails to disclose a nip at all. The coating is drawn from a sump and then transferred in a reverse direction to an applicator wheel with an intermittent surface. Thus, there is no incentive to combine Fisher and Klein, and even if there were, whether taken alone or in combination with Fisher, Klein fails to disclose or suggest the apparatus recited in amended claim 1. Accordingly, the rejection based on a combination of Fisher and Klein is respectfully traversed.

Claim 5 stands rejected under 35 U.S.C. § 103(a) in view of a combination of Fisher and Reafler (US 5,132,148). The comments asserted above traversing Fisher are reasserted here. Reafler is cited for providing a stainless steel roller. However, Reafler discloses two stainless steel rolls, while the claim recites a combination of a stainless steel

surface and a resilient non-stick peripheral surface. No such combination is suggested or disclosed by either Reafler or Fisher. Also, whether taken alone or in combination with Fisher, Reafler, which also fails to disclose a nip, fails to disclose or suggest the apparatus recited in amended claim 1. Accordingly, the rejection based on a combination of Fisher and Reafler is respectfully traversed.

Claim 13 stands rejected under 35 U.S.C. § 103(a) in view of a combination of Fisher and Kohler (US 6,068,701). The arguments traversing Fisher are reasserted here. Kohler is cited for teaching a metering wire. However, the metering wire of Kohler is specifically designed to permit the passage of coating material in designated ridges across the surface of the roller (See Col. 6, lines 22-30). As written, claim 13 recites, among other things, that the stripping wire is disposed for preventing slurry from progressing upon an underside of the metering roll towards the nip. While the use of metering wires may be known, the art fails to disclose or suggest the use of such a wire as now recited in claim 13, especially as depending from amended claim 1. Accordingly, the rejection based on a combination of Fisher and Kohler is respectfully traversed.

Applicants respectfully suggest that in the outstanding Action, the rejections evidence "picking and choosing" features of various references and combining them when there is no suggestion in those references to do so. It is impermissible within the framework of a 35 U.S.C. §103 rejection to pick and choose from any one reference only so much of it as will support a given position to the exclusion of other parts necessary to the full

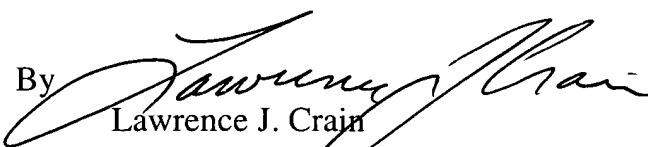
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appreciation of what such reference fairly suggests to one skilled in the art. Furthermore, obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. Teachings of references can be combined only if there is some suggestion or incentive to do so.

Applicants submit that in view of the above-identified amendments and remarks, the claims in their present form are patentably distinct over the art of record. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, she is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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